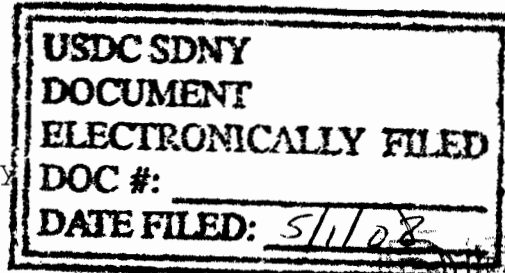


ORIGINAL

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
SHEILA M. HORNE,
:
:
Plaintiff, :
:
- v. - :
:
MICHAEL J. ASTRUE, :
Commissioner of Social Security :
:
Defendant. :
- - - - -x

STIPULATION AND ORDER
07 Civ. 9476 (FM)

WHEREAS plaintiff commenced the above-captioned action on October 24, 2007, in which she maintained that she was disabled, as defined by the Social Security Act, and thus entitled to Supplemental Security Income and disability insurance benefits; and,

WHEREAS the defendant Commissioner of Social Security answered the complaint and, by letter dated January 29, 2008, proposed to plaintiff that this action be remanded voluntarily to the agency for the purpose of conducting further administrative proceedings; and,

WHEREAS the Honorable Frank Maas held a conference with the parties on April 8, 2008, and;

WHEREAS the parties have agreed to resolve this matter without the need for further litigation;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows:

1. This action is remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g).

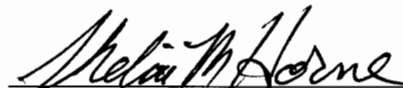
2. In determining plaintiff's claim for disability benefits, ALJ will develop, consistent with the Commissioner's regulations, evidence from plaintiff's treating sources. The ALJ will also consider and evaluate all opinions from plaintiff's treating sources regarding plaintiff's condition and functioning under the criteria set forth in the Commissioner's regulations.

The Clerk is directed to enter judgment. See Shalala v. Schaefer, 509 U.S. 292 (1993).

Dated: New York, New York

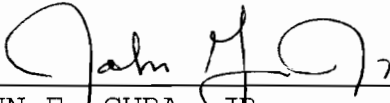
April 17, 2008

By:




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SO ORDERED:



FRANK MAAS 4/30/08
UNITED STATES MAGISTRATE JUDGE